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August 28, 2018

VIA ECF

Hon. Frederick J. Scullin Jr.
Senior United States District Judge
Federal Building and U.S. Courthouse
100 South Clinton Street
P.O. Box 7255
Syracuse, NY 13261-7345

Re: *John Doe, et al. v. Syracuse University, et al.* (No. 5:18-cv-496 (FJS/DEP))

Dear Judge Scullin:

We represent Defendants in this matter. Presently pending before the Court is an Order to Show Cause requesting a temporary restraining order ("TRO") and a briefing schedule for Defendants' application for a preliminary injunction. *See* Dkt. No. 48.

Today, during a telephone conference, Magistrate Judge Peebles set September 5, 2018 as the return date relative to the application for a preliminary injunction. *See* Text Minute Entry dated Aug. 28, 2018. However, Magistrate Judge Peebles indicated that he lacked authority to rule on the TRO because such a request must be made to a district court judge absent consent.

Accordingly, we respectfully request that the Court sign the Order to Show Cause putting the TRO in place until the matter can be heard on the merits next Wednesday.

Respectfully submitted,

HANCOCK ESTABROOK, LLP

s/John G. Powers

John G. Powers

JGP/



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CERTIFICATE OF SERVICE

I hereby certify that on August 28, 2018, I electronically filed the foregoing with the Clerk of Court, to be served on all parties of record via the CM/ECF system.

By: s/ John G. Powers
John G. Powers